

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

BURBRAN PIERRE, on behalf of himself and  
others similarly situated,

Plaintiff,

v.

CITY OF NEW YORK, NEW YORK CITY  
POLICE DEPARTMENT, TD BANK N.A.,  
DUANE READE INC., B & H PHOTO VIDEO  
PRO AUDIO LLC, BLOOMBERG L.P., WHOLE  
FOODS MARKET GROUP, INC., TRIHOP 14TH  
STREET LLC, and DOES NOS. 1-10,

Defendants.

Case No.: 1:20-cv-05116(ALC)(VF)

**NOTICE OF PLAINTIFF’S MOTION FOR PRELIMINARY APPROVAL OF THE  
PROPOSED SETTLEMENT, CERTIFICATION OF THE SETTLEMENT CLASS,  
APPOINTMENT OF CLASS COUNSEL, AND APPROVAL OF PLAINTIFF’S NOTICE  
OF SETTLEMENT AND CLAIM FORM**

**PLEASE TAKE NOTICE** that Plaintiff Burbran Pierre (“Plaintiff”), on behalf of himself and the proposed Class, respectfully moves this Court for an Order pursuant to Rule 23(e) of the Federal Rules of Civil Procedure for: (i) preliminary approval of Plaintiff’s proposed settlement with Defendant T.D. Bank N.A.; (ii) certification of the proposed settlement class; (iii) appointment of Faruqi & Faruqi, LLP as class counsel; and (iv) approval of Plaintiff’s proposed Notice of Settlement and Claim Form.

This motion is based upon the accompanying Settlement Agreement, the Memorandum of Law in Support of Plaintiff’s Motion for Preliminary Approval of the Proposed Settlement, Certification of the Settlement Class, Appointment of Class Counsel, and Approval of Plaintiff’s Notice of Settlement and Claim Form, the Declaration of Innessa M. Huot in support hereof, and all related exhibits.

Dated: January 20, 2023  
New York, New York

Respectfully submitted,

**FARUQI & FARUQI, LLP**

By: /s/ Innessa M. Huot

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*Attorneys for Plaintiff, the FLSA Collective,  
and the proposed Class*